



Report of Activities
on
Hawaii Revised Statutes §103-50
Relating to Accessibility for Persons with
Disabilities

July 1, 2004 - June 30, 2005

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I. Overview

Hawaii Revised Statutes (HRS) §103-50 states that all plans and specifications for the construction of public buildings, facilities, and sites by the State or any county shall be prepared so that the buildings, facilities, and sites are accessible to and usable by persons with disabilities.

Public buildings, facilities, and sites means buildings, facilities and sites that 1) are designed, constructed, purchased or leased with the use of State or county funds; 2) house State or county programs, services, or activities that are intended to be accessed by the general public; or 3) buildings, facilities, or sites to be transferred to the State or a county.

HRS §103-50 states that all agencies of the State and counties shall seek the advice and recommendations from the Disability and Communication Access Board (DCAB) on all plans and specifications to ensure access. The design standards to ensure that all buildings, facilities, and sites are accessible shall conform to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and the requirements of the Federal Fair Housing Amendments Act. In addition, DCAB has the authority to adopt or develop design guidelines for items not covered in the ADAAG in order to provide greater accessibility for persons with disabilities.

The Facility Access Unit is responsible for implementing HRS §103-50. The purpose of the Facility Access Unit is to:

- 1) Review all construction documents of the State and counties, i.e., preliminary and final blueprints and specifications, to determine their accessibility and conformance to the ADAAG, and supplementary guidelines and standards established or adopted by the DCAB.
- 2) Provide technical review and input in construction planning efforts in the development phase (i.e., urban or project master plans) of projects to ensure that accessibility is taken into account in the earliest stages of the project to ensure compliance with HRS §103-50.
- 3) Provide technical assistance to the Standing Committee on Facility Access who approves through public hearing, site-specific alternate designs that provide an equal or greater degree of accessibility for buildings, facilities, and sites for persons with disabilities.
- 4) Provide technical assistance to the Standing Committee on Facility Access who issues interpretive opinions on State of Hawaii accessibility design guidelines, as requested, for the purpose of clarifying accessible design requirements for State and county construction projects.
- 5) Provide technical information to design professionals on the requirements of the ADAAG and other relevant design codes through responding to questions on design via faxes or phone inquiries.
- 6) Provide technical assistance to State and county departments on how to survey their own sites or a potential site for accessibility.
- 7) Assist State and county departments regarding the installation of accessible play equipment and its supporting structures to the play equipment, to ensure that the play areas comply with the Accessibility Guidelines for Play Areas.

- 8) Conduct or coordinate workshops and training sessions for 1) public works personnel, 2) the building and design community, and 3) user agencies on design standards, human factor requirements for persons with disabilities, access laws, and exemplary design.
- 9) Provide policy guidelines to State and local government to recommend adherence to proposed or interim amendments to the ADAAG.
- 10) As a participant on the AIA Codes Committee, continue efforts to incorporate accessibility design requirements into all applicable county codes and standards, most specifically the County Building Code.
- 11) Research the revised Americans with Disabilities Act (ADA)/Architectural Barriers Act (ABA) Guidelines, published July 23, 2004.

II. Document Reviews as Required Under HRS §103-50

Document reviews of State and county projects form the primary core of the work of the Facility Access Unit staff. The following information is a compilation of document reviews completed by the Facility Access Unit staff for the fiscal years 1995-1996 through 2004-2005.

Fiscal Year	04-05	03-04	02-03	01-02	00-01	99-00	98-99	97-98	96-97	95-96
Total Reviews	1,339	1,537	1,285	1,529	1,287	1,045	1,141	998	702	853
Unduplicated	676	828	679	831	768	659	672	635	404	504
Resubmittals	663	709	606	698	519	386	469	363	298	349

The total number of document reviews for FY 2004-2005 was 1,339. The total number of unduplicated or new submittals was 676. Additionally, 663 project construction documents were resubmittals. The number of unduplicated or new submittals decreased compared to FY 2003-2004. The Department of Accounting and General Services (DAGS) accounted for the largest decrease in unduplicated or new submittals, followed by the Department of Land and Natural Resources, City and County of Honolulu's Department of Design and Construction, and Housing and Community Development Corporation of Hawaii.

Further details on the unduplicated (676) document reviews for FY 2004-2005 are reflected in Tables 1, 2, and 3.

- Table 1 indicates the number of unduplicated (676) document reviews by the agency overseeing the project. As indicated in Table 1, DAGS submitted the greatest number of projects, followed by the State Department of Transportation, City and County of Honolulu's Department of Design and Construction, and City and County of Honolulu's Department of Planning and Permitting. Most of the State projects were alteration, repair and maintenance, architectural barrier removal, and transition plan projects. The majority of the City and County of Honolulu projects were alteration projects, and public right-of-way projects associated with private commercial and residential developments. The majority of project plans submitted by the Counties of Maui, Hawaii, and Kauai were from the Departments of Public Works and Parks and Recreation.
- Table 2 indicates the number of unduplicated (676) document reviews by type of facility. Public school projects account for the greatest number of document reviews followed by public right-of-way and park projects.

- Table 3 shows the number of the unduplicated (676) document reviews by location or island. Oahu and Maui experienced a decrease in the number of unduplicated document reviews during FY 2004-2005 compared to the previous fiscal year. Kauai and Hawaii experienced minimal change in the number of unduplicated document reviews during FY 2004-2005 compared to the previous fiscal year. The Island of Oahu experienced the greatest relative decrease in document reviews of approximately 24%. Maui experienced a decrease in document reviews of approximately 22%. As expected, the predominant numbers of document reviews were for facilities located on the Island of Oahu.

III. Interpretive Opinions and Site Specific Alternate Designs

Seven (7) interpretive opinion requests were received and issued by the Standing Committee on Facility Access in FY 2004-2005: 1) DCAB 2004-11, relating to access to buildings or spaces that are frequented only by service personnel for repair purposes, where parking is not provided; 2) DCAB 2004-13, relating to door hardware; 3) DCAB 2004-14, relating to level changes along a ramp and ramp landing; 4) DCAB 2004-15, relating to door maneuvering clearance at recessed doors; 5) DCAB 2004-16, relating to countertop height in a unit covered by the Fair Housing Amendments Act Guidelines (FHAAG); 6) DCAB 2004-17, relating to the technical specifications for and the placement of detectable warnings for curb ramps; and 7) DCAB 2005-01, relating to detectable barriers to warn blind or visually impaired persons of a protruding object.

No site-specific alternate design requests were received in FY 2004-2005.

IV. Training and In-Service Workshops

The DCAB staff conducted or coordinated the following training and in-service workshops:

- Staff assisted in the coordination of “Understanding the Revised ADAAG,” held on July 8, 2004 at the “2004 Tools for Life: A 21st Century Look at Assistive Technology and Services.” The speakers were Jim Pecht and Dave Yanchulis from the U.S. Access Board.
- Staff assisted in the coordination of U.S. Access Board “Technical Assistance,” held on July 9, 2004 at the “2004 Tools for Life: A 21st Century Look at Assistive Technology and Services.” The speakers were Jim Pecht and Dave Yanchulis from the U.S. Access Board.
- Staff assisted in the coordination of “Overview of Fair Housing Design,” held on July 9, 2004 at the “2004 Tools for Life: A 21st Century Look at Assistive Technology and Services.” The speaker was Philip Zook, architect.
- Staff assisted in the coordination of “The Revised ADAAG,” held on July 9, 2004 at the “2004 Tools for Life: A 21st Century Look at Assistive Technology and Services.” The speakers were Jim Pecht and Dave Yanchulis from the U.S. Access Board.
- On August 16, 2004, staff conducted a general ADAAG and site survey training session for the Komo Kaulike Project–Work Incentive Grant.
- On May 9, 2005 staff conducted a workshop titled “Understanding the ADAAG Design Guidelines and Requirements,” for the Department of Education.

- Staff conducted four (4) workshops titled “Understanding the ADAAG Design Guidelines and Requirements,” held in May and June 2005. These workshops were part of a series of ADA workshops conducted by DCAB on Kauai, Oahu, Maui, and Hawaii for the Department of Human Resources Development.

V. Technical Assistance on Design

The Facility Access Unit provides consultation and technical assistance to design professionals in both the public and private sector in order to provide guidance on how to make buildings and facilities accessible to persons with disabilities.

In FY 2004-2005 the Facility Access Unit fielded approximately 1,000 requests for technical assistance in areas concerning the design standards for HRS §103-50, the ADAAG, the Architectural Barriers Act, and the Final Fair Housing Accessibility Guidelines (FFHAG). Technical assistance was provided primarily through responses to fax and telephone inquiries.

In order to assist the design profession, DCAB completed “Access Bulletin” Number 27, a summary of recent interpretive opinions, and information regarding accessibility issues of importance to the design community and State and county project managers. Additionally, the Facility Access Unit continued updating the “Summary of Interpretive Opinions,” which will cover interpretive opinions issued from 1990 through 2004.

VI. Site Surveys and Master Plans

In an effort to provide assistance to agencies in identifying architectural barriers, the Facility Access Unit staff completed the following:

- Reviewed and provided written comment on two (2) master plans to insure that the overall design concept incorporates accessibility requirements: 1) Palamanui Environmental Impact Statement Preparation Notice, and 2) Palamanui Draft Environmental Impact Statement in FY 2004-2005.
- Surveyed a total of three (3) facilities for the purpose of assisting State and county agencies in assessing their level of accessibility in government owned, financed, and leased buildings, facilities, and sites. These included: 1) Nimitz Business Center for the Office of the Public Defender (Department of Budget and Finance), 2) Leeward Community College Theater, and 3) King Street Center (1451 South King Street) for the University of Hawaii’s School of Medicine, Women’s Health Initiative.

VII. Other Activities

In an effort to further the cause of accessibility in buildings, facilities, and sites and to ensure equal access for persons with disabilities, a number of other activities were conducted. While not directly a component of HRS §103-50, these activities were related to accessibility concerns:

- Attended meetings with the Honolulu Chapter of the AIA Codes Committee and assisted the City and County of Honolulu to incorporate the ADAAG, FFHAG, and other applicable guidelines on access for persons with disabilities into potential building codes. Staff completed a comparative code analysis of the NFPA 5000’s sections related to accessibility. Provided the City and County of Honolulu, as recommended by the Standing Committee on Facility Access, recommended amendments to the NFPA 5000.

- Attended an AIA Codes Committee meeting to provide a presentation on the revised ADA/ABA Guidelines.
- Distributed the revised ADA/ABA Guidelines to “2004 Tools for Life” Expo attendees with additional information on the status of the Guidelines.
- Provided technical assistance to the Standing Committee of Facility Access to respond to the Department of Justice’s “Advanced Notice of Proposed Rulemaking for the Adoption of Parts I and III of the Revised Guidelines implementing the Americans with Disabilities Act of 1990 and the Architectural Barriers Act of 1968 by the Architectural and Transportation Barriers Compliance Board on July 23, 2004, at 69 FR 44083.”
- Staff is in the process of conducting a comparative analysis of the revised ADA/ABA Guidelines with current guidelines used for the HRS §103-50 review process.
- Attended the University of Hawaii Department of Urban and Regional Planning’s meeting on Redevelopment of Oahu’s Eight Community District Plans, which was held on October 12, 2004.

Staff is in the process of updating the training and workshop materials, and utilizing the materials to develop new presentations.

Table 1
Facilities Reviewed by Project Department
(Unduplicated Count)
FY 2004-2005

State of Hawaii

Department of Accounting and General Services	170
Department of Transportation	117
Department of Land and Natural Resources	41
University of Hawaii at Manoa and Hilo	31
University of Hawaii, Community Colleges	7
Department of Defense	1
Department of Human Services	1
Judiciary	1
Department of Health	2
Department of Hawaiian Home Lands	4
Office of Hawaiian Affairs	1
Department of Education	5
Housing and Community Development Corporation of Hawaii	4
Hawaii Health System Corporation	4

Sub-Total 389

City & County of Honolulu

Department of Transportation Services	10
Board of Water Supply	11
Department of Design and Construction	84
Department of Planning and Permitting	55
Department of Community Services	2

Sub-Total 162

County of Maui

Public Works	39
Parks and Recreation	8
Wastewater	1
Housing and Community Development	1
Department of Water	1
Department of Human Concerns	2
Planning Department	1

Sub-Total 53

County of Hawaii

Public Works	31
Parks and Recreation	16
Housing	2
Department of Water	8
Planning Department	2

Sub-Total 59

County of Kauai

Public Works	10
Department of Water	3

Sub-Total 13

TOTAL 676

Table 2
Facilities Reviewed by Type of Facility
(Unduplicated Count)
FY 2004-2005

Facility Type	
Office	21
School - General	198
School - Classroom	1
School - Auditorium	1
Library (not at a school)	1
Laboratory/Research Facility	1
Hospital/Medical Care Facility	4
Wastewater or other Treatment Facility	11
Water Pump Station/Water Piping/Water Main/Wells	29
Court	1
Police Station	2
Fire Station	3
Golf Course/Facility	1
Park/Gym	93
Warehouse/Storage Facility	5
Stadium or Auditorium (not at a school)	2
Trails/Wilderness/Campsite	2
Community/Cultural Center	7
Airport Facility	59
Harbor/Boat/Docks	6
Bus or Mass Transit Terminal/Guideway Station	2
Parking/Maintenance Facility	4
Streets/Sidewalk/Mall/Bike Path/Shared Use Path	195
Highways/Tunnels/Bridges	14
Dikes/Dams	3
Civil Defense Facility/Disaster	1
Housing - Dormitory	1
Housing - Apartment or Condominium = General	2
Housing - Apartment or Condo = Specialized Elderly/Handicapped	1
Housing - Group Home or other Community Care Facilities	3
Housing - Homeless Shelters	1
Housing - Residential	1
TOTAL	676

Table 3
Facilities Reviewed by Location of Facility
(Unduplicated Count)
FY 2004-2005

Facility Location

Oahu	397
Maui	99
Kauai	49
Hawaii	131
TOTAL	676



HAWAII STATE
DEPARTMENT
OF HEALTH

Disability and Communication Access Board
919 Ala Moana Blvd., Room 101
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Phone: (808) 586-8121 (V/TTY)

We provide access to our activities without regard to race, color, national origin (including language), age, sex, religion, or disability. If you have a concern, write or call the Disability and Communication Access Board or the Department of Health Affirmative Action Officer at P.O. Box 3378, Honolulu, HI 96801-3378, or call 586-4616 (V/TTY) within 180 days of a problem.